

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CONSUMER FINANCIAL
PROTECTION BUREAU,

Plaintiff,

v.

UNIVERSAL DEBT & PAYMENT
SOLUTIONS, LLC, *et al.*,

Defendants.

Civil Action No. 1:15-CV-0859-
RWS

NOTICE OF SERVICE OF THE NOTICE OF APPEAL

The Consumer Financial Protection Bureau (“the Bureau”), Plaintiff in the above-captioned case, hereby gives notice that it has served the notice of appeal on Defendant Pathfinder Payment Solutions, Inc.

Federal Rule of Appellate Procedure 3(d) provides that “[t]he district clerk must serve notice of the filing of a notice of appeal by sending a copy to each party’s counsel of record—excluding the appellant’s—or, if a party is proceeding pro se, to the party’s last known address.” Fed. R. App. P. 3(d)(1). The rule also requires the clerk to “note on the docket the names of the parties to whom the clerk sends copies, with the date of sending.” *Id.* 3(d)(3).

On January 13, 2022, counsel for the Bureau called the district court clerk to inquire into whether and how the clerk had served the notice of appeal on Pathfinder, who is not currently represented by counsel. *See* Motion to Withdraw John Da Grosa Smith as Attorney by Pathfinder Payment Solutions, Inc., ECF No. 446; Order Granting Motion to Withdraw as Attorney, ECF No. 447. During that call, the clerk advised Bureau counsel that, in its view, serving Pathfinder is the Bureau's obligation.

Notwithstanding Rule 3(d), in accordance with the clerk's instructions, the Bureau has served Pathfinder on January 14, 2022, by causing the Notice of Appeal to be sent by UPS 2nd Day Air delivery to Pathfinder at its last known address and its resident agent address.

Pathfinder's last known address was identified from ECF No. 446, Ex. 1:

Paul Sabella
Pathfinder Payment Solutions, Inc.
9693 Gerwig Lane
Suite A
Columbia, Maryland 21046

Pathfinder's resident agent address was identified from Maryland Business Express, <https://egov.maryland.gov/BusinessExpress> (last visited January 13, 2022):

Paul Sabella
Pathfinder Payment Solutions, Inc.
6452 River Run
Columbia, Maryland 21044

The other Appellees were served through the CM/ECF system when the Notice of Appeal was filed on December 17, 2021.

Date: January 14, 2022

Respectfully submitted,

Attorneys for Plaintiff
Consumer Financial Protection Bureau:

ERIC HALPERIN
Enforcement Director

DAVID RUBENSTEIN
Deputy Enforcement Director

THOMAS KIM
Assistant Deputy Enforcement Director

/s/ Maureen McOwen

Mary K. Warren (NY bar #2557684)
Maureen McOwen (DC bar # 976749)
SENIOR LITIGATION COUNSEL
1700 G Street NW
Washington, DC 20552
Phone (Warren): 202-435-7815
Phone (McOwen): 202-435-9553
Email: Mary.Warren@cfpb.gov
Email: Maureen.McOwen@cfpb.gov
Fax: 202-435-7722

and

Local Counsel

KURT ERSKINE, U.S. ATTORNEY

LORI BERANEK
ASSISTANT U.S. ATTORNEY
Georgia Bar No. 666825
600 Richard B. Russell Federal Bldg.
75 Spring Street, S.W.
Atlanta, GA 30303
Telephone: (404) 581-6225
Facsimile: (404) 581-6163
Email: lori.beranek@usdoj.gov